

**OFFICIAL****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

REISNER

Serial No.: 09/881,721

Filed: June 18, 2001

For: METHODS OF UTILIZING CULTURED  
CULTURED HEMATOPOIETIC  
PROGENITOR CELLS FOR INDUCING  
IMMUNOLOGICAL TOLERANCE

Examiner: Mikhail A. Belyavskiy

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AUG 24 2004

Group Art Unit: 1644

Attorney  
Docket: 01/21720**RE: 24-AUG-2004 INTERVIEW WITH THE EXAMINER:  
PROPOSED CLAIM AMENDMENTS*****Claim 1, amended to overcome rejection of claim 1 in view of '529 patent:***

1. A method of inducing tolerance to a transplant transplanted from a donor to a recipient, the method comprising:

- (a) culturing an HPC population derived from the donor under growth conditions suitable for inducing myeloid differentiation, thereby generating a cultured HPC population which includes a tolerance-inducing cell population; and
- (b) isolating said tolerance-inducing cell population from said cultured HPC population, thereby generating an isolated tolerance-inducing cell population; and
- (bc) administering to the recipient a dose of said isolated tolerance-inducing cell population prior to, concomitantly with or following transplantation of the transplant, wherein the donor is allogeneic or xenogeneic with the recipient, thereby inducing tolerance to the transplant in the recipient.

***Claim 1, amended to overcome rejection of claim 56 in view of '662 patent:***

70. A method of inducing tolerance to a transplant transplanted from a donor to a recipient, the method comprising:

- (a) culturing an HPC population derived from the donor under growth conditions suitable for inducing myeloid differentiation, thereby generating a cultured HPC population which includes a tolerance-inducing cell population, said tolerance-inducing cell population being capable of inducing in the recipient tolerance to the transplant, said transplant being selected from the group consisting of an organ, an

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- (b) appendage, a tissue or cells; and  
administering to the recipient a dose of said tolerance-inducing cell population prior to, concomitantly with or following transplantation of the transplant, wherein the donor is allogeneic or xenogeneic with the recipient, thereby inducing tolerance to the transplant in the recipient.

***Claim 1, amended to overcome rejection of claim 57 in view of '662 patent:***

71. A method of inducing tolerance to a transplant transplanted from a donor to a recipient, the method comprising:

- (a) culturing an HPC population derived from the donor under growth conditions suitable for inducing myeloid differentiation, thereby generating a cultured HPC population which includes a tolerance-inducing cell population, said tolerance-inducing cell population being capable of inducing in the recipient tolerance to the transplant, wherein the donor is not myelosuppressed, or is not potentially myelosuppressed; and  
(b) administering to the recipient a dose of said tolerance-inducing cell population prior to, concomitantly with or following transplantation of the transplant, wherein the donor is allogeneic or xenogeneic with the recipient, thereby inducing tolerance to the transplant in the recipient.

***Claim 12, amended to overcome rejection of claim 67 in view of '662 patent:***

73. A method of transplanting a transplant derived from a donor to a recipient, the method comprising:

- (a) administering to the recipient a dose of tolerance-inducing cells obtained by culturing HPCs derived from the donor under growth conditions suitable for generating a cultured HPC population exhibiting myeloid differentiation, said cultured HPC population having enhanced tolerance-inducing activity as compared to said HPCs derived from the donor, said tolerance-inducing cells being capable of inducing in the recipient tolerance to the transplant, said transplant being selected from the group consisting of an organ, an appendage, a tissue or cells; and  
(b) transplanting the transplant to the recipient, wherein the donor is allogeneic or xenogeneic with the recipient.

***Claim 12, amended to overcome rejection of claim 68 in view of '662 patent:***

74. A method of transplanting a transplant derived from a donor to a recipient, the method comprising:

- (a) administering to the recipient a dose of tolerance-inducing cells obtained by culturing HPCs derived from the donor under growth conditions suitable for generating a cultured HPC population exhibiting myeloid differentiation, said cultured HPC population having enhanced tolerance-inducing activity as compared to said HPCs derived from the donor, said tolerance-inducing cells being capable of inducing in the recipient tolerance to the transplant, wherein the donor

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- (b) is not myelosuppressed, or is not potentially myelosuppressed; and  
transplanting the transplant to the recipient, wherein the donor is  
allogeneic or xenogeneic with the recipient.